

REMARKS

In response to the requirement to elect species for prosecution on the merits, with respect to the species identified by the Examiner in the office action mailed October 26, 2006:

1. Applicant elects the species of a layer of 1) nitrocellulose.

All pending claims, as amended, except new claim 117, read specifically on this species or are generic.

As will be seen, Applicant has deleted "polystyrene" from claims 51, 60, 61, 68, 69, 72 and 73 to confine those claims to the elected species of nitrocellulose to expedite examination. Applicant intends no abandonment by this amendment. Applicant reserves the right, with respect to any generic claim that is allowed, to re-introduce dependent claims specific to polystyrene, as appropriate, and to file a continuation application with such claims as have been deleted. Applicant has added claim 117 dependent on claim 79 as an indication of these reservations.

2. Applicant elects the species of a layer that is 2) solid. All pending claims except claim 52 read specifically on this species or are generic.

3. Applicant elects the species of an intervening layer that is 1) metal oxide (including tantalum oxide). All pending claims except claims 64 and 71 read specifically on this species or are generic.

4. Applicant elects the species of an intervening layer that is 1) opaque. All pending claims except claims 69, 70, 95 and 96 read specifically on this species or are generic.

Overall, the following claims do not read on species having a layer of nitrocellulose for immobilizing bio-material, the layer being solid, the device including an intervening layer of

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adherent metal oxide, the intervening layer structure being substantially opaque: Claims 52, 64, 69, 70, 71, 95, 96 and 117.

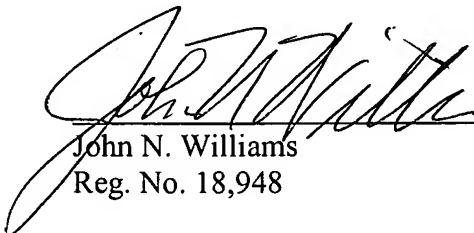
A further set of specific claims, claims 118-120, has been added that corresponds in all respects to the specificity of the composite elected species. In addition, all pending claims excepting Claims 52, 64, 69, 70, 71, 95, 96 and 117 also read on the elected species, (meaning that a product limited in each of the four elected dimensions would be covered by each one of those claims, even though the claims are not limited the way claims 118-120 are limited). Applicant understands that the examiner will examine such generic claims as well as the claims 118-120 that have the attributes as specifically defined by the Examiner.

Applicant strongly urges that the generic claims are allowable as well as the specific claims.

Respectfully submitted,

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